Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 1 of 12

KATHRYN E. LANDRETH United States Attorney 100 W. Liberty St., Suite 600 Reno, Nevada 89501-1930 Telephone: 702 784-5439 1 2 John P. Lange United States Department of Justice Environment & Natural Resources Division 3 Indian Resources Section 999 18th Street, Suite 945 4 999 18th Street, Denver, Colorado 80202 294-1900 303 Telephone: 5 Autoritys wor the United States of America 6 IN THE UNITED STATES DISTRICT COURT 7AY 1 9 1994 7 FOR THE DISTRICT OF NEVADA LERK, J.S. DISTRICT COUR 8 DISTRICT OF NEVADA V UNITED STATES OF AMERICA, 9 Plaintiff, 10 WALKER RIVER PAIUTE TRIBE, 11 Plaintiff-Intervenor. In Equity C-125 Subfile C-125-B VS. 12 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 13 Defendants. 14 WALKER RIVER IRRIGATION DISTRICT, 15 Petitioner, STIPULATION AND 16 ORDER FOR ENLARGEMENT OF STATE OF NEVADA. 17 Petitioner-Intervenor, TIME WITHIN WHICH TO JOIN ADDITIONAL PARTIES AND COMPLETE SERVICE OF PROCESS vs. 18 (FOURTH EXTENSION) CALIFORNIA STATE WATER RESOURCES CONTROL BOARD, et al. 19 Respondents, 20 WALKER RIVER PAIUTE TRIBE AND UNITED STATES OF AMERICA, 21 Cross-Claimants, 22 VS. 23 WALKER RIVER IRRIGATION DISTRICT, et al. Cross-Defendants. 24 25 26

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 2 of 12

The United States of America and the Walker River Paiute

Tribe, pursuant to Local Rule 150, Rule 6(b), F.R.Civ.P., request

additional time, up to and including November 25, 1994, within

which to complete joinder of additional parties and service of

process on claimants to the water of the Walker River, and its

tributaries, in accordance with the Order of this Court, dated

October 27, 1992, (Document No. 15).

The Court granted the first extension by Order dated February 23, 1993, (Document 19). Based on Stipulations of the parties, additional extensions were granted by Orders dated June 14, 1993, (Document 20), and November 15, 1993, (Document 21).

As grounds for this request the United States and the Tribe note that the United States filed a Motion for Instructions and Order on April 7, 1994. The purpose of that motion is to determine whether groundwater claimants in the Walker River Basin are to be included as parties in these proceedings. If groundwater claimants are included, then it will be necessary to serve them with process.

On April 21, 1994, the parties stipulated that the time for filing responses to the Motion for Instructions filed by the United States would be extended to May 24, 1994. Additional time will be needed to complete service of process following a determination of whether or not groundwater claimants are to be joined as parties.

WHEREFORE, the United States and the Walker River Paiute
Tribe request an extension of time up to and including

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 3 of 12

November 25, 1994, within which to complete the joinder of parties and service of process in this matter.

NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the parties hereto, acting through their respective counsel, hereby stipulate that the United States and the Walker River Paiute Tribe may have an additional period of time until November 25, 1994, in which to complete the joinder of parties and service of process in this matter.

DATED this 17th day of May, 1994.

WOODBURN, WEDGE AND JEPPSON	KATHRYN E. LANDRETH
	United States Attorney
By Lordon H. Netrole	United States Attorney
GORDON H. DePAOLI	By JM / X d

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BY MARY E. HACKENBRACHT

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DAVID E. MOSER

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FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By MARGARET ANN TWEDT

Attorneys for STATE OF NEVADA

Attorneys for UNITED STATES OF AMERICA

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Attorneys for WALKER RIVER PAIUTE TRIBE

VARGAS & BARTLETT

By: LINDA BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

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DATED this 17th day of May, 1994.

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DENIEL E. LUNGREN, Attorney neral of the State of

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Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

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26 27

November 25, 1994, within which to complete the joinder of 1 parties and service of process in this matter. 2 NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the parties hereto, acting through their 3 respective counsel, hereby stipulate that the United States and 4 the Walker River Paiute Tribe may have an additional period of 5 time until November 25, 1994, in which to complete the joinder of 6 parties and service of process in this matter. 7 DATED this /6 day of May, 1994. 8 KATHRYN E. LANDRETH 9 WOODBURN, WEDGE AND JEPPSON United States Attorney 10 By GORDON H. DePAOLI 11 Attorneys for WALKER RIVER Attorneys for UNITED STATES 12 IRRIGATION DISTRICT OF AMERICA 13 DANIEL E. LUNGREN, Attorney GREENE, MEYER & MCELROY, P.C. General of the State of 14 california SCOTT B. MCELROY 15 MARY E. HACKENBRACHT Attorneys for WALKER RIVER 15 PAIUTE TRIBE Attorneys for STATE WATER 17 RESOURCES CONTROL BOARD AND VARGAS & BARTLETT ITS INDIVIDUAL MEMBERS 131 By: LINDA BOMMAN MCCUTCHEN, DOYLE, BROWN L 19 ENERSEN Attorneys for UNITED STATES 20 BOARD OF WATER COMMISSIONERS DAVID E. MOSER **Z**1 Attorneys for CALIFORNIA 22 TROUT, INC. FRANKIE SUE DEL PAPA, Attorney 23 General of the State of Nevada 24 BY MARGARET AND TWEDT 25 Attorneys for STATE OF NEVADA 26

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4	respective counsel, hereby stipula	ate that the United States and
5	the Walker River Paiuta Tribe may	
6	time until November 25, 1994, in t	
7	parties and service of process in	
8	-	
_	DATED this /6/L day of May	, 1994.
9	WOODBURN, WEDGE AND JEPPSON	KATHRYN E. LANDRETH United States Attorney
0	By	
1	GORDON H. DePAOLI	By JOHN P. LANGE
2	Attorneys for WALKER RIVER	Attorneys for UNITED STATES
_	IRRIGATION DISTRICT	OF AMERICA
3	DANIEL E. LUNGREN, Attorney	
4	General of the State of California	GREENE, MEYER & MCELROY, P.C.
5		SCOTT B. MCELROY
	MARY E. HACKENBRACHT	SCOTT B. MCELROY
16	MAKI E. MACKEMBRACEL	Attorneys for WALKER RIVER
17	Attorneys for STATE WATER RESOURCES CONTROL BOARD AND	PAIUTE TRIBE
	ITS INDIVIDUAL MEMBERS	VARGAS & BARTLETT
18		n
19	MCCUTCHEN, DOYLE, BROWN & ENERSEN	By: LINDA BOWMAN
	EGERSEN	
20	By	Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS
21	DAVID E. MOSER	ROWKH OF MATER COMMISSIONERS
22	Attorneys for CALIFORNIA TROUT, INC.	
23	FRANKIE SUE DEL PAPA, Attorney	
24	General of the State of Nevada	
44	II -	

Attorneys for STATE OF NEVADA

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 7 of 12

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Attorneys for STATE OF NEVADA

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 8 of 12

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Attorneys for WALKER RIVER

Attorneys for STATE OF NEVADA

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SENT BY: VARGAS & BARTLETT : 5-18-94 ;11:03AM ; VARGAS & BARTLETT DEPT. OF JUSTICE;# 2/ 2

Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 9 of 12

November 25, 1994, within which to complete the joinder of parties and service of process in this matter.

NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the parties hereto, acting through their respective counsel, hereby stipulate that the United States and the Walker River Paiute Tribe may have an additional period of time until November 25, 1994, in which to complete the joinder of parties and service of process in this matter.

DATED this __/7## day of May, 1994.

WOODBURN, WEDGE AND JEPPSON KATHRYN E. LANDRETH United States Attorney

GORDON H. DePAOLI

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 10 of 12

IT IS SO ORDERED. 1 DATED this 23dd day of May, 1994 2 3 4 CHIEF JUDGE, UNITED STATES DISTRICT COURT 5 11111 6 7 ///// 8 ////// 9 11111 10 1111 11 ///// 12 ///// 13 ///// 14 ///// 15 ///// 16 ///// 17 ///// 18 ///// 19 ///// 20 ///// 21 1111 **22** ///// 23 1111 24 ///// 25 1 / / / / 26 ///// 27 28

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 11 of 12

CERTIFICATE OF SERVICE

I hereby certify that I have this $\frac{8}{\cancel{8}}$ day of May, 1994, served a true copy of the foregoing STIPULATION AND ORDER FOR ENLARGEMENT OF TIME WITHIN WHICH TO JOIN ADDITIONAL PARTIES AND COMPLETE SERVICE OF PROCESS (FOURTH EXTENSION) by placing same in 3 the U. S. mails, postage prepaid, addressed as follows:

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Case 3:73-cv-00127-MMD-CSD Document 25 Filed 05/23/94 Page 12 of 12

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